

HB 1051 - S AMD
By Senator McAuliffe

ADOPTED 04/22/2007

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** The legislature finds that the goal of
4 Washington's education reform is for all students to meet rigorous
5 academic standards so that they are prepared for success in college,
6 work, and life. Educators know that not all students learn at the same
7 rate or in the same way. Some students will take longer to meet the
8 state's standards for high school graduation. Older students who
9 cannot graduate with their peers need an appropriate learning
10 environment and flexible programming that enables them simultaneously
11 to earn a diploma, work, and pursue other training options. Providing
12 learning options in locations in addition to high schools will
13 encourage older students to complete their diplomas. Therefore the
14 legislature intends to create a pilot high school completion program at
15 two community and technical colleges for older students who have not
16 yet received a diploma but are eligible for state basic education
17 support.

18 **Sec. 2.** RCW 28B.50.535 and 1991 c 238 s 58 are each amended to
19 read as follows:

20 A community or technical college may issue a high school diploma or
21 certificate, subject to rules (~~and regulations promulgated~~) adopted
22 by the superintendent of public instruction and the state board of
23 education.

24 NEW SECTION. **Sec. 3.** A new section is added to chapter 28B.50 RCW
25 to read as follows:

26 (1) A pilot program is created for two community or technical
27 colleges to make available courses or a program of study, on the
28 college campus, designed to enable students under the age of twenty-one

1 who have completed all state and local high school graduation
2 requirements except the certificate of academic achievement or
3 certificate of individual achievement to complete their high school
4 education and obtain a high school diploma.

5 (a) The colleges participating in the pilot program in this section
6 may make courses or programs under this section available by entering
7 into contracts with local school districts to deliver the courses or
8 programs. Colleges participating in the pilot program that offer
9 courses or programs under contract shall be reimbursed for each
10 enrolled eligible student as provided in the contract, and the high
11 school diploma shall be issued by the local school district;

12 (b) Colleges participating in the pilot program may deliver courses
13 or programs under this section directly. Colleges that deliver courses
14 or programs directly shall be reimbursed for each enrolled eligible
15 student as provided in section 4 of this act, and the high school
16 diploma shall be issued by the college;

17 (c) Colleges participating in the pilot program may make courses or
18 programs under this section available through a combination of
19 contracts with local school districts, collaboration with educational
20 service districts, and direct service delivery. Colleges participating
21 in the pilot program may also make courses or programs under this
22 section available for students at locations in addition to the college
23 campus; or

24 (d) Colleges participating in the pilot program may enter into
25 regional partnerships to carry out the provisions of this subsection
26 (1).

27 (2) Regardless of the service delivery method chosen, colleges
28 participating in the pilot program shall ensure that all eligible
29 students located in school districts within their college district as
30 defined in RCW 28B.50.040 have an opportunity to enroll in a course or
31 program under this section.

32 (3) Colleges participating in the pilot program shall not require
33 students enrolled under this section to pay tuition or services and
34 activities fees; however this waiver of tuition and services and
35 activities fees shall be in effect only for those courses that lead to
36 a high school diploma.

37 (4) Nothing in this section or section 4 of this act precludes a
38 community or technical college from offering courses or a program of

1 study for students other than eligible students as defined by section
2 4 of this act to obtain a high school diploma, nor is this section or
3 section 4 of this act intended to restrict diploma completion programs
4 offered by school districts or educational service districts.
5 Community and technical colleges and school districts are encouraged to
6 consult with educational service districts in the development and
7 delivery of programs and courses required under this section.

8 (5) Community and technical colleges participating in the pilot
9 program shall not be required to administer the Washington assessment
10 of student learning.

11 NEW SECTION. **Sec. 4.** A new section is added to chapter 28A.600
12 RCW to read as follows:

13 (1) For purposes of this section and section 3 of this act,
14 "eligible student" means a student who has completed all state and
15 local high school graduation requirements except the certificate of
16 academic achievement under RCW 28A.655.061 or the certificate of
17 individual achievement under RCW 28A.155.045, who is less than age
18 twenty-one as of September 1st of the academic year the student enrolls
19 at a community and technical college under this section, and who meets
20 the following criteria:

21 (a) Receives a level 2 (basic) score on the reading and writing
22 content areas of the high school Washington assessment of student
23 learning;

24 (b) Has not successfully met state standards on a retake of the
25 assessment or an alternative assessment;

26 (c) Has participated in assessment remediation; and

27 (d) Receives a recommendation to enroll in courses or a program of
28 study made available under section 3 of this act from his or her high
29 school principal.

30 (2) An eligible student may enroll in courses or a program of study
31 made available by a community or technical college participating in the
32 pilot program created under section 3 of this act for the purpose of
33 obtaining a high school diploma.

34 (3) For eligible students in courses or programs delivered directly
35 by the community or technical college participating in the pilot
36 program under section 3 of this act and only for enrollment in courses
37 that lead to a high school diploma, the superintendent of public

1 instruction shall transmit to the colleges participating in the pilot
2 program an amount per each full-time equivalent college student at
3 statewide uniform rates. The amount shall be the sum of (a), (b), (c),
4 and (d) of this subsection, as applicable.

5 (a) The superintendent shall separately calculate and allocate
6 moneys appropriated for basic education under RCW 28A.150.260 for
7 purposes of making payments under this section. The calculations and
8 allocations shall be based upon the estimated statewide annual average
9 per full-time equivalent high school student allocations under RCW
10 28A.150.260, excluding small high school enhancements, and applicable
11 rules adopted under chapter 34.05 RCW.

12 (b) The superintendent shall allocate an amount equal to the per
13 funded student state allocation for the learning assistance program
14 under chapter 28A.165 RCW for each full-time equivalent college student
15 or a pro rata amount for less than full-time enrollment.

16 (c) The superintendent shall allocate an amount equal to the per
17 full-time equivalent student allocation for the student achievement
18 program under RCW 28A.505.210 for each full-time equivalent college
19 student or a pro rata amount for less than full-time enrollment.

20 (d) For eligible students who meet eligibility criteria for the
21 state transitional bilingual instruction program under chapter 28A.180
22 RCW, the superintendent shall allocate an amount equal to the per
23 student state allocation for the transitional bilingual instruction
24 program or a pro rata amount for less than full-time enrollment.

25 (4) The superintendent may adopt rules establishing enrollment
26 reporting, recordkeeping, and accounting requirements necessary to
27 ensure accountability for the use of basic education, learning
28 assistance, and transitional bilingual program funds under this section
29 for the pilot program created under section 3 of this act.

30 (5) All school districts in the geographic area of the two
31 community and technical colleges selected pursuant to section 8 of this
32 act to participate in the pilot program shall provide information about
33 the high school completion option under section 3 of this act to
34 students in grades ten, eleven, and twelve and the parents or guardians
35 of those students.

36 **Sec. 5.** RCW 28A.655.061 and 2006 c 115 s 4 are each amended to
37 read as follows:

1 (1) The high school assessment system shall include but need not be
2 limited to the Washington assessment of student learning, opportunities
3 for a student to retake the content areas of the assessment in which
4 the student was not successful, and if approved by the legislature
5 pursuant to subsection (10) of this section, one or more objective
6 alternative assessments for a student to demonstrate achievement of
7 state academic standards. The objective alternative assessments for
8 each content area shall be comparable in rigor to the skills and
9 knowledge that the student must demonstrate on the Washington
10 assessment of student learning for each content area.

11 (2) Subject to the conditions in this section, a certificate of
12 academic achievement shall be obtained by most students at about the
13 age of sixteen, and is evidence that the students have successfully met
14 the state standard in the content areas included in the certificate.
15 With the exception of students satisfying the provisions of RCW
16 28A.155.045, acquisition of the certificate is required for graduation
17 from a public high school but is not the only requirement for
18 graduation.

19 (3) Beginning with the graduating class of 2008, with the exception
20 of students satisfying the provisions of RCW 28A.155.045, a student who
21 meets the state standards on the reading, writing, and mathematics
22 content areas of the high school Washington assessment of student
23 learning shall earn a certificate of academic achievement. If a
24 student does not successfully meet the state standards in one or more
25 content areas required for the certificate of academic achievement,
26 then the student may retake the assessment in the content area up to
27 four times at no cost to the student. If the student successfully
28 meets the state standards on a retake of the assessment then the
29 student shall earn a certificate of academic achievement. Once
30 objective alternative assessments are authorized pursuant to subsection
31 (10) of this section, a student may use the objective alternative
32 assessments to demonstrate that the student successfully meets the
33 state standards for that content area if the student has retaken the
34 Washington assessment of student learning at least once. If the
35 student successfully meets the state standards on the objective
36 alternative assessments then the student shall earn a certificate of
37 academic achievement.

1 (4) Beginning with the graduating class of 2010, a student must
2 meet the state standards in science in addition to the other content
3 areas required under subsection (3) of this section on the Washington
4 assessment of student learning or the objective alternative assessments
5 in order to earn a certificate of academic achievement.

6 (5) The state board of education may not require the acquisition of
7 the certificate of academic achievement for students in home-based
8 instruction under chapter 28A.200 RCW, for students enrolled in private
9 schools under chapter 28A.195 RCW, or for students satisfying the
10 provisions of RCW 28A.155.045.

11 (6) A student may retain and use the highest result from each
12 successfully completed content area of the high school assessment.

13 (7) Beginning in 2006, school districts must make available to
14 students the following options:

15 (a) To retake the Washington assessment of student learning up to
16 four times in the content areas in which the student did not meet the
17 state standards if the student is enrolled in a public school; or

18 (b) To retake the Washington assessment of student learning up to
19 four times in the content areas in which the student did not meet the
20 state standards if the student is enrolled in a high school completion
21 program at a community or technical college. The superintendent of
22 public instruction and the state board for community and technical
23 colleges shall jointly identify means by which students in these
24 programs can be assessed.

25 (8) Students who achieve the standard in a content area of the high
26 school assessment but who wish to improve their results shall pay for
27 retaking the assessment, using a uniform cost determined by the
28 superintendent of public instruction.

29 (9) Subject to available funding, the superintendent shall pilot
30 opportunities for retaking the high school assessment beginning in the
31 2004-05 school year. Beginning no later than September 2006,
32 opportunities to retake the assessment at least twice a year shall be
33 available to each school district.

34 (10)(a) The office of the superintendent of public instruction
35 shall develop options for implementing objective alternative
36 assessments, which may include an appeals process, for students to
37 demonstrate achievement of the state academic standards. The objective
38 alternative assessments shall be comparable in rigor to the skills and

1 knowledge that the student must demonstrate on the Washington
2 assessment of student learning and be objective in its determination of
3 student achievement of the state standards. Before any objective
4 alternative assessments in addition to those authorized in RCW
5 28A.655.065 or (b) of this subsection are used by a student to
6 demonstrate that the student has met the state standards in a content
7 area required to obtain a certificate, the legislature shall formally
8 approve the use of any objective alternative assessments through the
9 omnibus appropriations act or by statute or concurrent resolution.

10 (b) A student's score on the mathematics portion of the preliminary
11 scholastic assessment test (PSAT), the scholastic assessment test
12 (SAT), or the American college test (ACT) may be used as an objective
13 alternative assessment under this section for demonstrating that a
14 student has met or exceeded the mathematics standards for the
15 certificate of academic achievement. The state board of education
16 shall identify the scores students must achieve on the mathematics
17 portion of the PSAT, SAT, or ACT to meet or exceed the state standard
18 for mathematics. The state board of education shall identify the first
19 scores by December 1, 2006, and thereafter may increase but not
20 decrease the scores required for students to meet or exceed the state
21 standard for mathematics.

22 (11) By December 15, 2004, the house of representatives and senate
23 education committees shall obtain information and conclusions from
24 recognized, independent, national assessment experts regarding the
25 validity and reliability of the high school Washington assessment of
26 student learning for making individual student high school graduation
27 determinations.

28 (12) To help assure continued progress in academic achievement as
29 a foundation for high school graduation and to assure that students are
30 on track for high school graduation, each school district shall prepare
31 plans for students as provided in this subsection (12).

32 (a) Student learning plans are required for eighth through twelfth
33 grade students who were not successful on any or all of the content
34 areas of the Washington assessment for student learning during the
35 previous school year. The plan shall include the courses,
36 competencies, and other steps needed to be taken by the student to meet
37 state academic standards and stay on track for graduation. If

1 applicable, the plan shall also include the high school completion
2 pilot program created under section 3 of this act. This requirement
3 shall be phased in as follows:

4 (i) Beginning no later than the 2004-05 school year ninth grade
5 students as described in this subsection (12)(a) shall have a plan.

6 (ii) Beginning no later than the 2005-06 school year and every year
7 thereafter eighth grade students as described in this subsection
8 (12)(a) shall have a plan.

9 (iii) The parent or guardian shall be notified, preferably through
10 a parent conference, of the student's results on the Washington
11 assessment of student learning, actions the school intends to take to
12 improve the student's skills in any content area in which the student
13 was unsuccessful, strategies to help them improve their student's
14 skills, and the content of the student's plan.

15 (iv) Progress made on the student plan shall be reported to the
16 student's parents or guardian at least annually and adjustments to the
17 plan made as necessary.

18 (b) Beginning with the 2005-06 school year and every year
19 thereafter, all fifth grade students who were not successful in one or
20 more of the content areas of the fourth grade Washington assessment of
21 student learning shall have a student learning plan.

22 (i) The parent or guardian of a student described in this
23 subsection (12)(b) shall be notified, preferably through a parent
24 conference, of the student's results on the Washington assessment of
25 student learning, actions the school intends to take to improve the
26 student's skills in any content area in which the student was
27 unsuccessful, and provide strategies to help them improve their
28 student's skills.

29 (ii) Progress made on the student plan shall be reported to the
30 student's parents or guardian at least annually and adjustments to the
31 plan made as necessary.

32 **Sec. 6.** RCW 28B.15.520 and 1993 sp.s. c 18 s 16 are each amended
33 to read as follows:

34 Subject to the limitations of RCW 28B.15.910, the governing boards
35 of the community colleges may:

36 (1) Waive all or a portion of tuition fees and services and
37 activities fees for:

1 (a) Students nineteen years of age or older who are eligible for
2 resident tuition and fee rates as defined in RCW 28B.15.012 through
3 28B.15.015 (~~and~~), who enroll in a course of study or program which
4 will enable them to finish their high school education and obtain a
5 high school diploma or certificate, but who are not eligible students
6 as defined by section 4 of this act; and

7 (b) Children of any law enforcement officer or fire fighter who
8 lost his or her life or became totally disabled in the line of duty
9 while employed by any public law enforcement agency or full time or
10 volunteer fire department in this state: PROVIDED, That such persons
11 may receive the waiver only if they begin their course of study at a
12 community college within ten years of their graduation from high
13 school;

14 (2) Waive all or a portion of the nonresident tuition fees
15 differential for:

16 (a) Nonresident students enrolled in a community college course of
17 study or program which will enable them to finish their high school
18 education and obtain a high school diploma or certificate but who are
19 not eligible students as defined by section 4 of this act. The waiver
20 shall be in effect only for those courses which lead to a high school
21 diploma or certificate; and

22 (b) Up to forty percent of the students enrolled in the regional
23 education program for deaf students, subject to federal funding of such
24 program.

25 **Sec. 7.** RCW 28B.15.067 and 2006 c 161 s 6 are each amended to read
26 as follows:

27 (1) Tuition fees shall be established under the provisions of this
28 chapter.

29 (2) Beginning with the 2003-04 academic year and ending with the
30 2008-09 academic year, reductions or increases in full-time tuition
31 fees for resident undergraduates shall be as provided in the omnibus
32 appropriations act.

33 (3) Beginning with the 2003-04 academic year and ending with the
34 2008-09 academic year, the governing boards of the state universities,
35 the regional universities, The Evergreen State College, and the state
36 board for community and technical colleges may reduce or increase full-
37 time tuition fees for all students other than resident undergraduates,

1 including summer school students and students in other self-supporting
2 degree programs. Percentage increases in full-time tuition fees may
3 exceed the fiscal growth factor. Reductions or increases may be made
4 for all or portions of an institution's programs, campuses, courses, or
5 students.

6 (4) Academic year tuition for full-time students at the state's
7 institutions of higher education beginning with 2009-10, other than
8 summer term, shall be as charged during the 2008-09 academic year
9 unless different rates are adopted by the legislature.

10 (5) The tuition fees established under this chapter shall not apply
11 to high school students enrolling in participating institutions of
12 higher education under RCW 28A.600.300 through 28A.600.400.

13 (6) The tuition fees established under this chapter shall not apply
14 to eligible students enrolling in a community or technical college
15 under RCW 28C.04.610.

16 (7) The tuition fees established under this chapter shall not apply
17 to eligible students enrolling in a community or technical college
18 participating in the pilot program under section 3 of this act for the
19 purpose of obtaining a high school diploma.

20 (8) For the academic years 2003-04 through 2008-09, the University
21 of Washington shall use an amount equivalent to ten percent of all
22 revenues received as a result of law school tuition increases beginning
23 in academic year 2000-01 through academic year 2008-09 to assist needy
24 low and middle income resident law students.

25 ~~((+8))~~ (9) For the academic years 2003-04 through 2008-09,
26 institutions of higher education shall use an amount equivalent to ten
27 percent of all revenues received as a result of graduate academic
28 school tuition increases beginning in academic year 2003-04 through
29 academic year 2008-09 to assist needy low and middle-income resident
30 graduate academic students.

31 NEW SECTION. Sec. 8. (1) The office of the superintendent of
32 public instruction and the state board for community and technical
33 colleges shall:

34 (a) By June 30, 2007, select the two community and technical
35 colleges to be involved in the pilot program created in section 3 of
36 this act. The criteria for selecting the two pilot program sites shall
37 include, but are not limited to: (i) The quality of the courses or

1 program offerings; (ii) having the appropriate type of staff and
2 facility to deliver the program; and (iii) the number of eligible
3 students;

4 (b) Identify and analyze possible service delivery models in
5 addition to those described in section 3 of this act, particularly to
6 address the challenges faced by community and technical colleges
7 serving school districts dispersed across large geographic areas and
8 with limited staffing and facilities resources for the programs;

9 (c) Submit a report with an implementation plan for the two
10 community and technical colleges participating in the pilot program
11 created under section 3 of this act and submit findings and
12 recommendations to the education and fiscal committees of the
13 legislature by December 15, 2007; and

14 (d) By December 15, 2009, submit a report to the education and
15 fiscal committees of the legislature on the progress of the pilot
16 program created under section 3 of this act that shall include the
17 following:

18 (i) The number of students taking part in the high school
19 completion programs, reported by their high school of last attendance
20 and the community or technical college that offered the program;

21 (ii) The types of high school completion programs offered at the
22 two community or technical colleges;

23 (iii) The number of students successfully receiving a high school
24 diploma and other identified outcome measures;

25 (iv) The amount of funds spent in support of this effort compared
26 to actual reimbursement costs that are provided under section 4(3) (a),
27 (b), (c), and (d) of this act; and

28 (v) A plan for implementing the program statewide.

29 (2) The state institute for public policy shall develop an estimate
30 of the number of students statewide likely to participate in the
31 program authorized under section 3 of this act if established on a
32 statewide basis. The assumptions shall take into account programs and
33 alternatives offered for fifth-year seniors by school districts and
34 educational service districts. The institute shall report to the
35 education and fiscal committees of the legislature by December 15,
36 2007.

